

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA : SEALED ORDER
: 19 Cr. 517
- v. - :
STEPHEN STRAUHS, :
Defendant. :
- - - - - x

WHEREAS, an application has been made by the United States of America, with the defendant's consent, requesting that: (1) Information 19 Cr. 517 (the "Information") and related charging paperwork be filed under seal until further order of the Court; (2) the transcript of the defendant's arraignment on the Information (the "Arraignment") be sealed until further order of the Court; and (3) all docket entries associated with the defendant's Arraignment and with subsequent court proceedings relating to the Information, including a plea proceeding, be sealed until further Order of the Court; and

WHEREAS, the Court finds that active law enforcement investigations may be compromised if the Government's application is not granted;

IT IS HEREBY ORDERED that: (1) the Information and related charging paperwork shall be sealed; (2) the transcript of the defendant's Arraignment shall be sealed; (3) this Order and the related Affirmation shall be sealed; and (4) no additional docket entries shall be made in connection with the Information or with subsequent proceedings relating to the Information until further Order of the Court; and

IT IS FURTHER ORDERED that counsel for the defendant and the Government may be provided a copy of the transcript of the Arraignment and of subsequent proceedings relating to the Information without further Order of the Court.

SO ORDERED:

Dated: White Plains, New York
July 16, 2019

Judith C. McCarthy
THE HONORABLE JUDITH C. McCARTHY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
UNITED STATES OF AMERICA

:
SEALED AFFIRMATION

- v. -

:
17 Cr. S17

STEPHEN STRAUHS,

:
Defendant.

:
- - - - - X

KATHRYN MARTIN hereby affirms, under penalty of perjury and pursuant to Title 28, United States Code, Section 1746, as follows:

1. I am an Assistant United States Attorney in the office of Geoffrey S. Berman, United States Attorney for the Southern District of New York, and I am one of the prosecutors handling the above-captioned case. By this Affirmation, the Government respectfully applies for an order of the Court directing that: (1) Information 19 Cr. S17 (the "Information") and related charging paperwork, as well as this Affirmation and proposed Order, be filed under seal until further order of the Court; (2) the transcript of the defendant's arraignment on the Information (the "Arraignment") be sealed until further order of the Court; and (3) all docket entries associated with the defendant's Arraignment and with subsequent court proceedings

relating to the Information, including any plea proceeding, be sealed until further Order of the Court.

2. The defendant is cooperating with the Government, and is being arraigned on the Information in the expectation that he will plead guilty to the charges in the Information pursuant to a cooperation agreement. The defendant has provided information to the Government in connection with, among other things, an investigation into bank fraud and tax fraud by various individuals. The Government anticipates that information provided by the defendant will be presented to a grand jury in this District for purposes of obtaining an indictment against several co-conspirators of the defendant.

3. Compelling law enforcement interests support the requested relief in this case. Exposure of the defendant's cooperation may jeopardize ongoing investigations because individuals may learn of the defendant's cooperation and a likely future arrest. An order granting the requested relief would reduce the risk that the defendant's cooperation with the Government will be exposed, that a co-conspirator would flee in advance of arrest, and minimize the risk of any potential witness tampering.

4. The fact of the defendant's cooperation, and the existence and nature of the charges against him, will not be kept sealed indefinitely. The Government anticipates unsealing the defendant's Information and the associated proceedings and docket entries when the defendant's co-conspirators are ultimately arrested, potentially next month. Until then, however, the Government respectfully submits that even the docketing of the filing of the Information or the fact of the Arraignment might well provide notice that the defendant is cooperating.

5. Accordingly, the Government requests that all filings and other docket entries relating to the Information, including this Affirmation and any order issued in connection with it, be filed under seal, and that no docket entries be made in connection with subsequent proceedings relating to the Information until further order of the Court.

6. Defense counsel consents to the Government's application for sealing in this matter.

Dated: White Plains, New York
July 16, 2019


Kathryn Martin
Kathryn Martin
Assistant United States Attorney
Southern District of New York
(914) 993-1963